

NAYS—10.

Allen,
Burney,
Claiborne,
Field,
Finley.

Frank,
Jarvis,
McDonald,
Seale,
Townsend.

COURT OF APPEALS.

Senator Frank moved to
Amend page 7, under the head of
Court of Appeals, by adding between
lines 6 and 7 the following in each
line:

"Record books and stationery, seven
hundred and fifty dollars, seven hun-
dred and fifty dollars."

Adopted.

Senator Frank moved to

Amend page 8, line 11, near top of
page, by striking out "three hundred,"
in each line and inserting therefor the
following: "Five hundred and forty
dollars, five hundred and forty dol-
lars."

Lost.

JUDICIAL DEPARTMENT.

Senator McDonald moved to
Amend by striking out line 12 and
13.

Adopted.

Senator McDonald moved to

Amend under head of judicial de-
partments by adding thereto at the
end the following: "Salaries of Su-
preme Court and Court of Appeals re-
porters six thousand dollars, six thou-
sand dollars."

Also "printing, binding and electro-
typing reports, seven thousand five
hundred dollars, seven thousand five
hundred dollars, to be paid on vouch-
ers, approved by the Printing Board."

Adopted.

SUPERINTENDENT PUBLIC BUILDINGS
AND GROUNDS.

Senator Upshaw moved to
Amend line 2 by inserting "two thou-
sand dollars instead of one thousand
five hundred dollars."

Adopted by the following vote:

YEAS—18.

Abercrombie,
Allen,
Burges,
Burney,
Cranford,
Field,
Glasscock,
Harrison,
Ingram,

Jarvis,
Lane,
McDonald,
Seale,
Simkins,
Townsend,
Tyler,
Upshaw,
Woodward.

NAYS—4.

Claiborne,
Finley,

Frank,
Kimbrough.

ABSENT—2.

Johnson,

Pope.

Senator Tyler moved to reconsider
the vote by which the third committee
amendment, in this department, was
adopted.

Adopted.

Senator Upshaw offered the follow-
ing substitute for the committee
amendment:

Amend line 10 by inserting "four
watchmen at six hundred dollars," in-
stead of "two watchmen at twelve
hundred dollars each."

The substitute was adopted for the
committee amendment and as a part
of the bill.

PENSION DEPARTMENT.

Senator Simkins moved to

Amend Pension Department by in-
serting the name of "Sam L. Cham-
bliss, 1890, one hundred dollars; 1891,
one hundred dollars."

Adopted.

On motion of Senator Pope,

The Senate adjourned until 10
o'clock to-morrow morning:

FIFTY-THIRD DAY.

SENATE CHAMBER,
AUSTIN, March 14, 1889.

Senate met pursuant to adjourn-
ment.

Lieutenant-Governor Wheeler in
the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator McDonald,
The reading of the Journal of yes-
terday was dispensed with.

On motion of Senator McDonald,
Senator Armistead was excused till
to-morrow, on account of important
business.

PETITIONS AND MEMORIALS.

By Senator Townsend:

Petition of citizens of Waelder, fav-
oring a State Board of Health.

Referred to Committee on Public
Health.

By Senator Frank:

Petition of citizens of Palo Pinto, favoring maximum railroad rates.

Referred to Committee on Internal Improvements.

By Senator Burney:

Petition of citizens of Stonewall, favoring maximum railroad rates on freights

Referred to Committee on Internal Improvements.

Petition of citizens of Mason county, favoring maximum rates of freight charges on railroads.

Referred to Committee on Internal Improvements.

By Senator Kimbrough:

Petition of citizens of Dallas county, favoring maximum rates of freight charges on railroads, etc.

Referred to Committee on Internal Improvements.

(Senator McDonald, President pro tem., in the chair.)

REPORTS OF STANDING COMMITTEES.

Senator Pope sent up the following report:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Substitute House bill No. 574, entitled "An act to amend chapter 11, title LXXXIV, of the Revised Civil Statutes of the State of Texas, so as to add thereto another article, to be known as article 4260a,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Add at the end of section 1:

"Nor shall the main track of any railroad once constructed and operated be abandoned or removed."

All of which is respectfully submitted.

POPE,
Chairman.

Bill read first time, with amendment.

By Senator Crauford:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 51, being "An act to provide for the more efficient government and maintenance of the house of correction and reformatory at Gatesville,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 291, being "An act to require foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State, and to repeal an act approved April 2, 1887, entitled an act to require foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State, and providing penalties for the violation of the same,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 331, being "An act to amend sections 22 and 23 of chapter 67 of an act entitled an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 314, being "An act to provide for payment of fees to district and county attorneys in quo warranto and injunction cases in which the State is a party,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 355, entitled "An act to amend section 25 of an act entitled an act to grant a new charter to the city of Dallas, passed by the Twenty-first Legislature and approved March 13, 1889,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

CRANFORD,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 201, being "An act to amend an act entitled an act to provide for the payment of the bonds of the State of Texas, that will become due and that are retirable in the years 1876 and 1877, and to make adequate provisions for the floating indebtedness of the State, and to supply deficiencies in the revenue by the State of the bonds of the State, and to make an appropriation to carry into effect the provisions of the same, approved July 6, 1876."

And find the same correctly engrossed.

CRANFORD,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 320, being "An act to attach the unorganized counties of Ector, Upton and Crane to the organized county of Midland for judicial purposes, and to attach the unorganized county of Glasscock to the organized county of Howard for judicial, surveying and other purposes,"

And find the same correctly engrossed.

CRANFORD,
Chairman.

By Senator Finley:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred

Senate bill No. 350, entitled "An act to amend section 1 of an act to provide for a more speedy counting of the vote at special and general elections, and to pay the judges and clerks for the same, approved March 14, 1887,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

FINLEY,
Chairman.

Bill read first time.

(The President in the chair.)

By Senator Kimbrough:

COMMITTEE ROOM,
AUSTIN, March 13, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred

Senate bill No. 325, entitled "An act for the relief of John Ezell,"

Have had the same under consideration, and instruct me to report it back

to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

KIMBROUGH,
Chairman.

Bill read first time.

By Senator McDonald:

COMMITTEE ROOM,
AUSTIN, March 15, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 463, entitled "An act to amend an act, entitled an act to amend section 13 of an act entitled an act to amend section 13 of an act to redistrict the State into judicial districts and to fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved March 31, 1885,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD,
Acting Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 15, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 82, entitled "An act to prescribe the time of holding the terms of the district court in the Eleventh judicial district,"

Have had the same under consideration, and instruct me to report it back to the Senate, with the recommendation that it do pass.

All of which is respectfully submitted.

MCDONALD,
Acting Chairman.

Bill read first time.

By Senator Townsend:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Conference, to whom was referred

Senate substitute for House bill No. 33, entitled "An act to add articles 689 and 689a to chapter 3, title 17, of the Penal Code of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the request that a committee of free conference be appointed, as the committee on the part of the House is a free conference committee.

All of which is respectfully submitted.

TYLER,
TOWNSEND,
FIELD.

On motion of Senator Jarvis,

The conference committee composed of Senators Field, Townsend and Tyler, appointed to consider Senate substitute House bill No. 33, were given the powers of a free conference committee.

By Senator Burney:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Education, to whom was referred

Senate bill No. 243, entitled "An act to further regulate the control and management of the public free schools in cities and towns in this State, where exclusive control and management of the public free schools within their limits has been or may be vested in a board of trustees, and to further define the duties and powers of such board of trustees in the exclusive control and management of the public free schools in such cities and towns,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the accompanying committee amendments.

All of which is respectfully submitted.

BURNEY,
Chairman.

COMMITTEE AMENDMENTS TO HOUSE
BILL NO. 243.

First amendment:

Strike out all after the word "afore-said" in line 2, page 2, section 1, down to the words "and such," in line 7, same page and section.

Second amendment:

Strike out the word "endowment" in the first line of Engrossed Rider and insert therefore the word "afore-said."

Also strike out "6" in line 2, Engrossed Rider, and insert therefore the figure "2."

Third amendment:

Strike out the words "board of trustees of such city or town" in line 5, page 2, section 2, and insert therefore the words, "The State of Texas."

Bill read first time with committee amendments.

By Senator Pope:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

House bill No. 77, entitled "An act to require all railroad companies to keep and maintain permanently their general offices within the State of Texas, certain places, and to keep all books, accounts, etc., at said offices and to provide penalties for failing to comply therewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

With the following amendments: Amend by striking out the requirements of the general attorneys to have their offices at the place where the general offices are, and also same requirements as to assistant general freight agent. Amend line 19, section 1, after the word "line" the words "in this State."

All of which is respectfully submitted.

POPE,
Chairman.

Bill read first time with committee amendments.

Senator Kimbrough gave notice that he would file a minority report on House bill No. 77.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Substitute House bill No. 367, entitled "An act to ratify and confirm the

titles of the Gulf, Colorado and Santa Fe Railway Company to the Central and Montgomery Railroad, and to the Chicago, Texas and Mexican Central Railroad, and to all property of the companies which constitute said roads, and to authorize the said Gulf, Colorado and Santa Fe Railway to own and operate said roads under its charters,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

POPE,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 305, entitled "An act to compel all railroad companies doing business in this State to run certain daily trains over their roads,"

Have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Amend section 2, line 2, by inserting after the word "shall" the word "intentionally."

All of which is respectfully submitted.

POPE,
Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 285, entitled "An act to amend title 84, chapter 10, of the Revised Civil Statutes, by adding thereto article 4223a,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

POPE,
Chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

By Senator Claiborne:

A bill to be entitled "An act requiring each county clerk in the State

of Texas to keep a record of the death of all persons dying in the county, and requiring physicians, justices of the peace and coroners to make a report of all deaths in their knowledge to the county clerk, and providing fees for the same."

Referred to Committee on Public Health.

By Senator Jarvis:

A bill to be entitled "An act to amend article 4247, chapter 10, title 84, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

By Senator Woodward:

Resolved, That hereafter no Senator shall be allowed to speak but once upon any measure under discussion, and not longer than five minutes, unless by leave of the Senate.

Ordered to lie over under the rules.

Senator Harrison entered a motion to reconsider the vote rejecting the amendment to the general appropriation bill, increasing the salary of the Chief Clerk of the General Land Office.

On motion of Senator Claiborne,

House bill No. 36, "An act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 79 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879, and amended April 4, 1881, and April 12, 1883, and March 27, 1887,"

Returned from the House yesterday for correction, was laid before the Senate.

Senator Claiborne moved to reconsider the vote by which the Senate passed the bill.

Senator Claiborne moved to

Strike out in lines 9 and 10, after the word "cattle" in line 9, page 2, the words, "and in such counties bordering on the."

The amendment was adopted by the following vote:

YEAS—23.

Abercrombie,	Ingram,
Allen	Jarvis,
Burges,	Johnson,
Burney,	Kimbrough,
Claiborne,	Lane,
Cranford,	McDonald,
Field,	Pope,
Finley,	Seale,
Frank,	Simkins,
Glasscock,	Upshaw,
Harrison,	Woodward.

ABSENT—2.

Tyler, Townsend.

On motion of Senator Tyler, The bill as amended was postponed until the afternoon.

The President submitted to the Senate on its third reading,

House joint resolution providing for the appointment of a joint committee from both houses to get up a bill on needed public road legislation.

The resolution was read the third time and passed.

The President appointed on the part of the Senate on the committee provided for in the resolution:

Senators Jarvis, Kimbrough, Glasscock, Finley and Allen.

The President submitted to the Senate, on its third reading,

Senate bill No. 299, a bill to be entitled "An act to amend article 2401 of chapter 3 title 42, of the Revised Civil Statutes."

The bill had been reported to the House before third reading and passage by mistake, and returned by request of the Senate.

The bill was read the third time and passed.

On motion of Senator Jarvis,

The Senate concurred in House amendments to

Senate bill No. 258, the Fort Worth charter bill.

Senate bill No. 211, a bill to be entitled "An act to regulate railroads doing business in the State of Texas, to fix maximum rates of freight charges on all classes of freights; to compel all such railroad companies to establish classifications on all kinds of freights, and to divide all freights in classes, ranging from one to ten inclusive, to prevent unjust discriminations and extortion and to repeal all laws and parts of laws in conflict herewith,"

Was laid before the Senate on its third reading.

The bill was read the third time and passed.

Senator Claiborne moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Adopted.

The President submitted to the Senate on its third reading, with a committee amendment,

Substitute House bills Nos. 245 and 279, a bill to entitled "An act to prescribe the place and time of sale of all real estate hereafter to be sold under powers conferred by any deed of trust or contract lien."

The amendment was adopted.

The bill was read the third time and passed.

The President submitted to the Senate, on its third reading,

Senate bill No. 320, a bill to be entitled "An act to attach the unorganized counties of Ector, Upton and Crane to the organized county of Midland, for judicial, surveying and other purposes, and to attach the unorganized counties of Andrews and Glasscock to the organized county of Martin for judicial, surveying and other purposes."

The bill was read the third time and

Passed by the following vote:

YEAS—24.

Abercrombie,	Jarvis,
Allen,	Johnson,
Burges,	Kimbrough,
Burney,	Lane,
Claiborne,	McDonald,
Cranford,	Pope,
Field,	Seale,
Finley,	Simkins,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Upshaw,
Ingram,	Woodward.

NAYS—None.

Senate bill No. 201, a bill to be entitled "An act to amend an act to provide for the payment of the bonds of the State of Texas that will become due and that are retirable in the years 1876 and 1877, and to make adequate provisions for the floating indebtedness of the State, and to supply deficiencies in the revenue by the sale of the bonds of the State, and to make an appropriation to carry into effect the provisions of the same, approved July 6, 1876," was laid before the Senate on its third reading.

The bill was read the third time and Passed by the following vote:

YEAS—22.

Abercrombie,	Jarvis,
Allen,	Kimbrough,
Burges,	Lane,
Burney,	McDonald,
Cranford,	Pope,
Field,	Seale,
Finley,	Simkins,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Upshaw,
Ingram,	Woodward.

NAYS—2.

Claiborne, Johnson.

Senate bill No. 51, a bill to be entitled "An act to provide efficient government and maintenance of the house of correction and reformatory at Gatesville, and to make an appropriation therefor,"

Was laid before the Senate on its third reading.

The bill was read the third time and passed.

Senate bill No. 291, "An act to require foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State, and to repeal an act approved April 2, 1887, entitled "An act to require foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in the State; and providing penalties for a violation of the same,"

Was laid before the Senate, read the third time and passed.

Senate bill No. 314, a bill to be entitled "An act to provide for payment of fees to district and county attorneys in quo warranto and injunction cases brought in the name of the State,"

Was laid before the Senate on its third reading.

The bill was read the third time and passed by the following vote:

YEAS—24.

Abercrombie,	Jarvis,
Allen,	Johnson,
Burges,	Kimbrough,
Burney,	Lane,
Claiborne,	McDonald,
Cranford,	Pope,
Field,	Seale,
Finley,	Simkins,
Frank,	Townsend,
Glasscock,	Tyler,
Harrison,	Upshaw,
Ingram,	Woodward.

NAYS—None.

Substitute Senate bill No. 331, a bill to be entitled "An act to amend sections 22 and 23 of chapter 67 of an act entitled an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883,"

Was laid before the Senate on its third reading.

The bill was read the third time.

Passed by the following vote:

YEAS—23.

Abercrombie,	Jarvis,
Allen,	Kimbrough,
Burges.	Lane,
Burney,	McDonald,
Claiborne,	Pope,
Cranford,	Seale,
Field,	Simkins,
Finley,	Townsend,
Frank,	Tyler,
Glasscock,	Upshaw,
Harrison,	Woodward.
Ingram,	

NAYS—None.

ABSENT—1.

Johnson.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I beg to inform the Senate that the House has passed the following bills:

House bill No. 241, a bill to be entitled "An act to legalize the donation of property to establish, or assist in establishing professorships, scholarships in the University of Texas, or of any of its branches, and to provide for the protection and the security of their benefits in accomplishing the objects of their donors,"

Under a suspension of the constitutional rule and by two-thirds vote, yeas, 76; nays, none, and

Substitute House bill No. 48, a bill to be entitled "An act to promote the development of the mining resources of Texas,"

Under a suspension of the constitutional rule, and by a vote of 58 yeas, 17 nays.

And

House bill No. 516, a bill to be entitled "An act to amend an act entitled an act to provide for the separation or partition of adjoining fences, and to prescribe a penalty for the violation of the provisions of this act, passed by the Twentieth Legislature of the State of Texas, approved March 17, 1887,"

Under a suspension of the constitutional rule and by a two-thirds vote—yeas, 80; nays, none.

House bill No. 591, a bill to be entitled "An act to vest in the United States of America exclusive jurisdic-

tion over the site and grounds for a public building in the town of Texarkana, Texas," under suspension of the constitutional rule and by two-thirds vote—yeas, 75; nays, none.

The House has given the Conference Committee appointed on the part of the House on the differences between the two houses on Senate substitute for House bill No. 33, free conference power.

W. M. IMBODEN,
Chief Clerk, House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I beg to inform the Senate that Messrs. Stevenson of Parker, Wilson of Harrison and Bishop have been appointed on the conference committee, on the part of the House, on the differences between the two houses on Senate substitute for House bill No. 33, a bill to be entitled "An act to add articles 689 and 689a to chapter 3, title 17, of the Penal Code of the State of Texas."

W. M. IMBODEN,
Chief Clerk House of Representatives.

HOUSE OF REPRESENTATIVES,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

SIR—I am directed to inform the Senate that the House has passed

Substitute House bill No. 574, being "An act to amend chapter 11, title LXXXIV of the Revised Civil Statutes of the State of Texas, so as to add thereto another article to be known as article 4260a,"

Under suspension of constitutional rule and by two-thirds vote, yeas, 75; nays, none.

W. M. IMBODEN,
Chief Clerk House of Representatives.

Senator Burges called up his motion entered to reconsider the vote by which the Senate passed

Substitute Senate bill No. 217, a bill to be entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 51, 61, 62, 64, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 82, 83, 84, of an act entitled an act to provide for the organization of the State penitentiaries, and for the more efficient management of the same, approved March 17, 1881; also to repeal an act entitled an act to provide for the more efficient management of the Texas State penitentiaries, and to make an appropria-

tion therefor, approved April 18, 1883; also to repeal an act entitled an act to amend sections 1, 2 and 4 of an act entitled an act to provide for the more efficient management of the Texas penitentiaries, and to make an appropriation therefor, approved April 18, 1883, approved March 31, 1885."

The vote was reconsidered, and

The bill was again submitted to the Senate.

Senator Burges moved to

Amend section 5 by inserting between the words "be" and "profitably," the word "as" in next to last line of section 3, page 5.

Adopted by the following vote:

YEAS—20.

Abercrombie,	Jarvis,
Allen,	Johnson,
Burges,	McDonald,
Burney,	Pope,
Cranford,	Seale,
Field,	Simkins,
Finley,	Townsend,
Frank,	Tyler,
Glasscock,	Upshaw,
Ingram,	Woodward.

NAYS—2.

Claborn,	Kimbrough.
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ABSENT—2.

Harrison,	Lane.
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The bill was read the third time and Passed by the following.

YEAS—22.

Abercrombie	Jarvis,
Allen,	Johnson,
Burges,	Lane,
Burney,	Maetze,
Cranford,	Pope,
Field,	Seale,
Finley,	Simkins,
Frank,	Townsend.
Glasscock,	Tyler,
Harrison,	Upshaw,
Ingram,	Woodward.

NAYS—1.

Kimbrough.

ABSENT—1.

McDonald.

On motion of Senator Burney,
Senate bill No. 58, a bill to be entitled "An act to amend sections 1 and

2 of an act entitled an act to provide annual pensions for the surviving indigent soldiers or indigent volunteers of the Texas revolution, and the indigent surviving signers of the declaration of independence, and the indigent surviving widows of such soldiers, volunteers or signers, and to repeal all laws and parts of laws in conflict therewith, passed by the Nineteenth Legislature," was taken up out of its regular order and read the second time with a committee substitute.

The committee substitute was adopted.

Senator Glasscock moved to

Amend by striking out the word "ten," in line 22, and insert the word "one."

Adopted.

Senator Tyler moved to

Amend section 1, by inserting between the figure "2" and the word "be," in line 2, the words, "of the above recited act."

Adopted.

Senator Simkins moved to

Insert in line 7, after "1836," "or who actually participated in any battle in Texas in 1836."

Adopted.

Senator Tyler moved to

Amend by adding to section 2 the following:

"Any veteran whose application and proof, heretofore made to the Comptroller, are in compliance with the requirements of this act, shall be entitled to his or her pension on presenting such application and proof to the Comptroller, without further proof being made, and where such application and proof has been returned to the applicant by the Comptroller, said applicant may refile the same as if made under this act."

Senator Townsend offered the following amendment to the amendment:

"Provided that said application has not heretofore been declared fraudulent."

Accepted.

The amendment as amended was adopted.

Senator Allen moved to add to section 1 the following:

"Provided the inter-marriage of one another shall be no bar to their pension claims."

Adopted.

The bill as amended was ordered engrossed.

The President made the following references:

Substitute House bill No. 574, to Committee on Internal Improvements.

Substitute House bill No. 48, to the Committee on Mining, Geology and Irrigation.

House bill No. 591, to the Committee on Federal Relations.

House bill No. 516, to Judiciary Committee No. 2, and

House bill No. 241, to the Committee on Education.

The President submitted as unfinished business,

Senate bill No. 123, the General Appropriation bill.

STATE DEPARTMENT.

Senator Jarvis moved to

Amend after line 10, under State Department, "to complete the work of indexing, labelling, arranging and binding books, documents, printed and unprinted in the State Department, two thousand five hundred dollars."

Adopted.

Senator Frank moved to

"Extra clerk hire to assist in preparing laws of Twenty-first Legislature for printer, two hundred dollars. Add after line 10."

Adopted.

STATE LUNATIC ASYLUM.

Senator Lane moved to

Amend line 4, State Lunatic Asylum, by striking out "one thousand dollars" and inserting "one thousand five hundred dollars" in both columns.

Senator Seale offered the following substitute:

Substitute by inserting "one thousand two hundred dollars" instead of "one thousand five hundred dollars."

Accepted.

Senator Seale's substitute as accepted was adopted as a part of the bill by the following vote:

YEAS—15.

Abercrombie,	Glasscock,
Allen,	Kimbrough,
Burges,	Lane,
Burney,	Pope,
Cranford,	Seale,
Field,	Simkins,
Finley,	Mr. President.
Frank,	

NAYS—6.

Claiborne,	Jarvis,
Harrison,	Johnson,
Ingram,	McDonald.

ABSENT—3.

Townsend,
Upshaw,

Woodward.

Senator Burges moved to

Amend line 3 by striking out "fifteen hundred" and inserting "eighteen hundred."

Lost.

NORTH TEXAS ASYLUM.

Senator Tyler moved to

Amend by adding under head of "reformatory," on page 16, the following after line 18:

"For salaries of trustees from December 6, 1888, to March 1, 1889, now due, three hundred and fifty dollars."

"For salaries trustees after March 1, 1889, two hundred and fifty dollars, two hundred and fifty dollars."

"For paying rewards for escaped inmates, two hundred and fifty dollars, two hundred and fifty dollars."

Adopted.

Senator Kimbrough moved to

Amend by inserting between lines 3 and 4:

"Salary of assistant physician, 1891, one thousand dollars."

Adopted.

Senator Jarvis moved to

Amend by adding after line 17, page 17, under head of State penitentiaries, the following:

"For the purpose of providing sewerage to the State prisons at Huntsville and Rusk, to be expended as directed by the Penitentiary Board, five thousand dollars."

Adopted.

AGRICULTURAL AND MECHANICAL COLLEGE.

Senator Field moved to

Amend by striking out the several items under the head of Agricultural and Mechanical College and insert the following:

"For support of Agricultural and Mechanical College out of revenue, 1890, nineteen thousand five hundred dollars; 1891, nineteen thousand five hundred dollars."

Adopted.

"Out of University fund, 1890, five hundred dollars; 1891, five hundred dollars."

Adopted.

"And the interest on two hundred and nine thousand dollars of State bonds held by Agricultural and Mechanical College."

Adopted.

"For completion of Assembly Hall, 1890, seven thousand five hundred dollars."

Adopted.

"For erection and equipment Laboratory, 1890, eight thousand dollars."

Adopted.

"For building and equipment of Horticultural Department, 1890, one thousand dollars."

Adopted.

"For equipment chemical laboratory, two thousand dollars."

Withdrawn.

"For foundry building and equipment, one thousand five hundred dollars."

Adopted by the following vote:

YEAS—15.

Allen,	McDonald,
Burges,	Pope,
Burney,	Seale,
Claiborne,	Simkins,
Cranford,	Townsend,
Field,	Tyler,
Frank,	Woodward.
Kimbrough,	

NAYS—7.

Abercrombie,	Jarvis,
Finley,	Lane,
Harrison,	Upshaw.
Ingram,	

ABSENT—2.

Glasscock,	Johnson.
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By leave Senator Burney sent up the following committee report:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Education to whom was referred

House bill No. 241, entitled "An act to regulate the donation of property to establish, or assisted in establishing professorships, scholarships in the University of Texas, or any of its branches, and to provide for the protection and the security of their benefits in accomplishing the objects of their donors."

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BURNEY.
Chairman.

Bill read first time.

Senator Frank entered a motion to reconsider the vote by which the Senate refused to adopt Senator Kimbrough's amendment to increase salary of clerk in Agricultural Department.

On motion of Senator Upshaw,

The Senate adjourned till 2:30 this afternoon.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

No quorum present.

Senator Kimbrough moved a call of the Senate.

Call sustained.

Absent—Senators Burges, Claiborne, Glasscock, Harrison, Lane, Pope, Townsend and Upshaw.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

Senators Burges, Harrison, Pope, Townsend and Upshaw were announced at the door.

The quorum being completed,

On motion of Senator Burney,

The call was suspended.

After having publicly read their captions, the President gave notice of signing, and did sign in open session of the Senate:

Senate bill No. 297, "An act to authorize the county commissioners' court of Hidalgo county to issue bonds for the protection of the court house and jail and other property from further erosion of the Rio Grande river, and to levy a tax to pay the interest and principal thereof,"

And

Senate bill No. 303, "An act to restore to and to confer upon the county court of Wilson county, the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State, to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

Senate bill No. 123, the general appropriation bill, was submitted to the Senate as unfinished business.

ASSESSORS' FEES.

Senator Seale moved to Amend by striking out "twenty-five

thousand dollars" and inserting "twenty thousand dollars." Adopted.

DEPARTMENT OF EDUCATION.

Senator Abercrombie moved to Amend by adding between lines 4 and 5 the following: "Bookkeeper and statistical clerk, one thousand five hundred dollars."

Senator Armistead moved to Amend by adding after "statistical" the words "and stenographic."

Senator Townsend moved to table the amendment to the amendment.

Lost.

The amendment to the amendment was adopted.

Senator Glasscock moved to table the amendment, as amended.

Lost.

The amendment, as amended, was adopted.

Senator Abercrombie moved to Amend by adding after item of "bookkeeper and statistical clerk" the following:

"Stenographic clerk, one thousand dollars, one thousand dollars."

Lost by the following vote:

YEAS—10.

Abercrombie,	Pope,
Burney,	Simkins,
Frank,	Townsend,
Kimbrough,	Tyler,
Lane,	Woodward.

NAYS—13.

Allen,	Harrison,
Armistead,	Ingram,
Claiborne,	Jarvis,
Cranford,	McDonald,
Field,	Seale,
Finley,	Upshaw.
Glasscock,	

ABSENT—2.

Burges,	Johnson.
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Senator Abercrombie moved to Amend by adding after the item of "stenographic clerk" the following: "Necessary traveling expenses of State Superintendent in visiting schools, organizing teachers institutes, etc, five hundred dollars, five hundred dollars."

Senator Townsend offered the following amendment to the amendment: Amend by inserting, "or so much thereof as may actually be necessary to pay transportation expenses."

Lost.

The amendment offered by Senator Abercrombie was adopted.

Senator Abercrombie moved to

Amend line 22 by striking out the word "July" and insert therefor the following: "August 31."

Adopted.

MISCELLANEOUS.

Senator Lane moved to

Amend by adding the following: "To refund to the contractor of the new State Capitol moneys heretofore paid to the Commissioner of the General Land Office for patent fees for Capital lands received by the contractor under his contract to with the State to build said Capitol, the sum of ten thousand three hundred and twenty dollars."

Adopted by the following vote:

YEAS—17.

Abercrombie,	Lane,
Armistead,	McDonald,
Burges,	Pope,
Cranford,	Townsend,
Field,	Tyler,
Ingram,	Upshaw,
Johnson,	Woodward.
Kimbrough,	

NAYS—11.

Allen,	Glasscock,
Burney,	Harrison,
Claiborne,	Jarvis,
Davis,	Seale,
Finley,	Simkins.
Frank,	

Senator Armistead moved to

Amend after line 16, under head of university:

"For the purpose of completing and equipping the central building of the State University, the sum of thirty-five thousand dollars, to be loaned out of the general revenue to be returned out of the available University fund without interest in the year 1900, thirty-five thousand dollars."

Adopted.

Senator Tyler moved to

Amend on page 25, by adding there to after line 8, under head of Miscellaneous, the following:

"For relief of Whitfield Chalk, a Meir prisoner, who filed his application as such during the existence of the law, and for payment of which no appropriation exists, and which is in lieu of the bonds he would have received, nine hundred and seventy dollars."

Adopted.

Senator Lane moved to

Amend General Land Office Department by striking out line 18 and inserting two lines, numbered 18 and 18 1-2, to read as follows:

"Line 18. Salary of two general clerks, at one thousand and eighty dollars, two thousand one hundred and sixty dollars, two thousand one hundred and sixty dollars."

"Line 18 1-2. Salary of two transcript clerks at one thousand two hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars."

Adopted.

Senator Burges offered the following amendment:

"To Mrs. C. M. Winkler, for refunding expenses incurred and for services rendered in collecting exhibits and representing the State at the New Orleans Exposition in 1884, three hundred and sixty dollars."

Adopted.

Senator Townsend moved to

Amend by striking out line 8, page 4, under the head of General Land Office.

Lost.

Senator Townsend moved to

Amend by striking out "four hundred and eighty dollars, four hundred and eighty dollars," in line 26, page 4, under head of General Land Office, "three hundred and sixty dollars, three hundred and sixty dollars."

Adopted.

ADJUTANT GENERAL'S OFFICE.

Senator Tyler moved to

Amend by striking out all of lines 12, 13, 14 and 15 and insert in lieu thereof the following: "Services of militia companies when called into active service under the law and for other necessary military expenses, including the subsistence of the troops in encampments by order of the Governor, the cleaning and repairing of guns, some part of the rent of armories not to exceed one-half of said rent, in the discretion of the Governor, and the necessary expenses of military courts, payments to be approved by the Governor; fifteen thousand dollars, fifteen thousand dollars."

Senator Claiborne moved to

Strike out "fifteen thousand dollars" and insert "twenty-five thousand dollars."

Lost.

Senator Tyler's amendment was adopted by the following vote:

YEAS—16.

Abercrombie,	Kimbrough,
Allen,	Lane,
Armistead,	McDonald,
Burges,	Pope,
Burney,	Simkins,
Cranford,	Townsend,
Glasscock,	Tyler.
Johnson,	Woodward.

NAYS—10.

Claiborne,	Harrison,
Davis,	Ingram,
Field,	Jarvis,
Finley,	Seale,
Frank,	Upshaw.

Senator Glasscock moved to

Amend by adding to pension column the following:

"For pension of Mrs. M. A. C. Wilson, surviving widow of Col. William F. Wilson, who was a Meir prisoner and confined in Mexico, nine hundred and seventy dollars."

Adopted.

Senator Armistead offered the following amendment:

"To the officers of court of the district court of Marion county for costs due on judgments rendered in said court against the State of Texas on December, 1877, on delinquent tax suits, nine hundred and two dollars and ninety-one cents."

Lost by the following vote:

YEAS—10.

Armistead,	Johnson,
Burges,	Lane,
Cranford,	McDonald,
Glasscock,	Pope,
Harrison,	Tyler.

NAYS—13.

Abercrombie,	Ingram,
Allen,	Jarvis,
Claiborne,	Kimbrough,
Davis,	Seale,
Field,	Townsend,
Finley,	Woodward.
Frank,	

ABSENT—3.

Burney,	Upshaw.
Simkins,	

Senator Kimbrough offered the following amendment:

Amend Department of Insurance, Statistics, etc., by inserting:

"To pay actual expenses of Commissioner enforcing insurance laws, two

hundred dollars, two hundred dollars."

Adopted.

Senator Pope moved to

Amend by adding line 27, page 9, as follows:

"For having the glass roof of Senate Chamber so improved as to exclude the glare of the sunlight, two hundred dollars."

Adopted.

Senator Glasscock moved to

Amend the miscellaneous column by adding the following:

"To purchase the set of public records, documents, journals and other statistical data relating to the history of Texas from its birth, and now held and owned by J. K. Holland, the sum of fifteen hundred dollars.

Senator Lane moved to amend the amendment by striking out the word "hundred."

Adopted.

On motion of Senator Townsend the amendment as amended was tabled.

On motion of Senator McDonald,

The pending business was suspended, and

House bill No. 342, a bill to be entitled "An act to restore the jurisdiction of the county courts of the counties of Greer, Henderson and Donley, and to repeal all laws in conflict therewith," was laid before the Senate, read the second time and passed to its third reading.

Senator McDonald moved to

Suspend the constitutional rule to put the bill on its third reading and final passage.

Lost by the following vote:

YEAS—22.

Allen,	Ingram,
Armistead,	Jarvis,
Burges,	Johnson,
Claiborne,	Kimbrough,
Cranford,	Lane,
Davis,	McDonald,
Field,	Pope,
Finley,	Seale,
Frank,	Townsend.
Glasscock,	Tyler.
Harrison,	Woodward.

NAYS—None.

ABSENT—4.

Abercrombie,	Simkins,
Burney,	Upshaw.

On motion of Senator Pope

The Sergeant-at-Arms, W. T. Brewer

was excused until Monday, on account of sickness in his family.

Senator Kimbrough called up Senator Frank's motion to reconsider the vote by which the Senate rejected his amendment increasing salary of clerk in Agricultural Department.

Senator Davis raised the point of order that no quorum was present.

Senator Lane moved a call of the Senate.

Call sustained.

Absent—Senators Armistead, Glasscock, Pope, Simkins and Upshaw.

The Sergeant-at-Arms was dispatched to bring in the absent Senators.

Senator Armistead was announced at the door.

On motion of Senator Frank,

The call was suspended.

Senator Claiborne offered the following substitute for the appropriation bill, and

On motion of Senator Frank, it was ordered printed in the Journal, as follows:

SUBSTITUTE FOR SENATE BILL NO. 123.

A bill to be entitled "An act making appropriations for the support of the State government for the years beginning March 1, 1889, and ending February 28, 1891, and for other purposes."

Section 1. *Be it enacted by the Legislature of the State of Texas, That the following sums of money or so much thereof as may be necessary, are hereby appropriated out of any money in the treasury not otherwise appropriated for the support of the State government for the years beginning March 1, A. D. 1889, and ending February 28, A. D. 1891, and for other purposes:*

EXECUTIVE OFFICE.

	Years Ending Feb. 28,	
	1889—	1891—
Salary of Governor	\$4,000	\$4,000
Salary of private secretary	1,500	1,500
Additional clerical assistance for Governor's office	400	400
Books and stationery	300	300
Porter hire	360	360
Fuel and gas for mansion	500	500
Contingent expenses	300	300
Governor's mansion, grounds, telephone, etc.	5 0	500
Payment of rewards and other contingent expenses necessary in the enforcement of the laws.	10,000	10,000

	Years Ending —1890—	Feb. 28, —1891—		Years Ending —1890—	Feb. 28, —1891—
Water for mansion per contract	100	100	Salary of one examining clerk	1,200	1,200
STATE DEPARTMENT.			GENERAL LAND OFFICE.		
Salary of Secretary of State	\$2,000	\$2,000	Salary of Commissioner	\$2,500	\$2,500
Salary of Chief Clerk	1,500	1,500	Salary of Chief Clerk	1,500	1,500
Salary of Assistant Clerk	900	900	Salary of first assistant clerk	1,200	1,200
Salary of Assistant Clerk	900	800	Salary of receiving cl'rk	1,500	1,500
Porter hire	300	300	Salary of Spanish Clerk	1,200	1,200
Freight, postage and express	1,500	1,500	Salary of Examining cl'k	1,200	1,200
Books and stationery	400	400	Salary of calculator	1,200	1,200
Contingent expenses	50	50	Salary of chief patenting clerk	1,200	1,200
Advertising constitutional amendments	Salary of one file room clerk	1,000	1,000
TREASURY DEPARTMENT.			Salary of two corresponding clerks at \$1,200 each	2,400	2,400
Salary of Treasurer	\$2,500	\$2,500	Salary of two school and University land clerks at \$1,000 each	2,000	2,000
Salary of Chief Clerk	1,800	1,800	Salary of two patenting clerks at 1,000 each	2,000	2,000
Salary of Bookkeeper	1,500	1,500	Salary of two abstract clerks at \$1,000 each	2,000	2,000
Salary of Receiving clerk	1,200	1,200	Salary of filing clerk	1,000	1,000
Salary of corresponding clerk	1,000	1,000	Salary of three general clerks at \$900 each	2,700	2,700
Salary of one bookkeeper in the land department at \$1,200	1,200	1,200	Salary of one corresponding clerk for school and University lands	1,200	1,200
Salary of one assistant bookkeeper in the land department, \$1,000	1,000	1,000	Salary of chief draftsman	1,500	1,500
Salary of one examining clerk	1,000	1,000	Salary of five compiling draftsmen at \$1,200 each	6,000	6,000
Salary of one night watchman in interior of Treasury Department	750	750	Salary of six assistant draftsmen at \$1,200 each	7,200	7,200
Salary of two Clerks, at \$900 each	1,800	1,800	Salary of night watchman	480	480
Salary of one porter who also acts as messenger and collector	500	500	Porter hire	300	300
Books and stationery	300	300	Stationery, books and furniture	3,600	3,000
Postage	300	300	Postage	900	900
Keeping in repair time locks and combinations	50	50	Wood	200	200
COMPTROLLER'S DEPARTMENT.			Lithographing maps	800	800
Salary of Comptroller	\$2,500	\$2,500	Water and repairs to fixtures	500	500
Salary of Chief Clerk	1,500	1,500	Carrying out the provisions of the act of April, 1887, for the sale and lease of school and other public lands (to be paid out of the funds to which the lands belong according to their several interests)	25,000	25,000
Salary of Book-keeper	1,500	1,500	ATTORNEY-GENERAL'S OFFICE.		
Salary of Receiving Cl'k	1,200	1,200	For salary and fees of Attorney-General	\$3,500	\$3,500
Salary of chief tax clerk	1,200	1,200	Salary of office assistant	1,500	1,500
Salary of two warrant clerks at \$1,200 each	2,400	2,400	Salary of second office assistant	1,500	1,500
Salary of two corresponding clerks at \$1,000 each	2,100	2,100	Salary of stenographic clerk	1,200	1,200
Salary of two auditing clerks at \$1,000 each	2,100	2,100	Stationery	150	150
Salary of one deposit warrant clerk	1,080	1,080	Postage	200	200
Salary of one redemption clerk	1,000	1,080	Telegraphing	50	50
Salary of five first assistant clerks at \$900 each	4,500	4,500	Law books and periodicals	250	250
Salary of four second assistant clerks at \$750 each	2,800	2,600	Cost of depositions, etc.	300	300
Telegraphing and postage for correspondence and assessment rolls	3,000	3,000	Porter and messenger	300	300
Books, stationery, binding rolls and contingent expenses	2,500	2,500	Actual and necessary traveling expenses incurred by the Attorney-General, or assistants, in giving attention to the State's business pending elsewhere		
Salary of one night watchman appointed by the Comptroller	600	600			
Salary of porter and messenger	300	300			

Years Ending Feb. 28, —1890— —1891—			COURT OF APPEALS.		
			Years Ending Feb. 28, —1890— —1891—		
than in the city of Austin, vouchers to be under oath	200	200	For salaries of three Judges.....	\$10,650	\$10,650
ADJUTANT-GENERAL'S OFFICE.			Clerk fees in criminal cases.....	3,000	3,000
For salary of Adjutant-General, without board or lodging.....	\$2,000	\$2,000	Sheriff's attendance on courts.....	300	300
Salary of Chief Clerk.....	900	900	Postage and contingent expenses.....	750	750
Stationery, postage and telegraph.....	250	250	Fuel and lights.....	175	175
Porter hire.....	300	300	Law books to be selected by presiding judge.....	300	300
Handling and transportation of arms and ammunition and for repair of arms.....	500	500	Furniture.....	100	100
Protection of the frontier from lawlessness and crime.....	25,000		For salary, fees and traveling expenses of the Assistant Attorney-General.....	3,000	3,000
Adjutant-General's expenses as inspector of arms, troops, etc.	300	300	QUARANTINE DEPARTMENT.		
Services of militia companies in case they are called into active service under the law, and for other military on order of the Governor.	10,000	10,000	For officers and employees.....	\$25,000	\$25,000
DEPARTMENT OF INSURANCE, STATISTICS, ETC.			JUDICIAL DEPARTMENT.		
Salary of Commissioner	\$2,000	\$2,000	Salary of forty-seven district judges.....	\$117,000	\$117,000
Salary of Chief Clerk.....	1,500	1,500	Salaries of district attorneys.....	17,000	17,000
Subscription for newspapers for binding....	200	200	Salary of one criminal district attorney.....	500	500
Purchase of books for State library.....	400	400	Salary of one criminal district judge.....	2,500	2,500
Contingent expenses.....	50	50	Fees and costs of sheriffs' clerks and attorneys in felony cases.....	300,000	300,000
Librarian and office assistant.....	360	360	Salary of special judges.	5,000	5,000
Postage, stationery, light and expressage.....	400	400	Fees of county judges, justices of the peace, sheriffs and constables in examining cases....	10,000	10,000
Salary of agricultural clerk.....	1,200	1,200	Expense of attached witnesses.....	75,000	75,000
Clerk hire.....	1,200	1,200	Publishing Supreme Court report	7,500	7,500
Printing blanks for correspondence and mailing annual reports	1,000	1,000	Publishing Court of Appeals report.....	6,000	6,000
Printing agricultural reports.....	2,500	2,500	PUBLIC BUILDINGS AND GROUNDS.		
For postage and expressage.....	500	500	Salary of Superintendent.....	\$1,200	\$1,200
For geological survey....	20,000	20,000	Salary of engineer.....	1,000	1,000
PRINTING BOARD.			Salary of assistant engineer and janitor.....	720	720
For public printing.....	\$20,000	\$20,000	Salary of fireman.....	480	480
SUPREME COURT.			Salary of fireman six months.....	240	240
Salary of judges.....	\$10,650	\$10,650	Water, fuel, lights, repairs for boiler house, and attachments	7,500	7,500
Books and stationery....	1,000	1,000	Salary of four cleaners at \$40 per month each	1,440	1,440
Fuel and lights.....	200	200	Salary of two watchmen \$600 each.....	1,200	1,200
Postage and contingent expenses.....	750	750	Salary of boy for elevator.....	360	360
Furniture.....	100	100	Purchase of hose.....	600
Three librarians, \$300 each.....	900	900	Grating for basement windows.....	720	
Porter hire.....	540	540	Oil and waste for steam pump, oil for furniture and wainscoting, drawing paper for plans and frames for blue prints and stationery.....	200	200
Books and shelving Supreme Court library....	3,000	3,000	Level rod and steel tape	40	
Sheriffs' attendance.....	300	300	Tools.....	100	
Clerk's cost in civil cases adjudged against the State.....	150	150	Repairs and painting....	1,000	1,000
COMMISSION OF APPEALS.			Repairs of sewer.....	250	250
For salaries of three judges.....	\$10,650	\$10,650	Water at cemetery, as per contract	200	200
Books and stationery....	400	400	Repairs of temporary capitol.....	200	
Fuel and lights.....	175	175			
Postage and contingent expenses.....	400	400			
Furniture.....	100	100			

	Years Ending Feb. 28, —1890— —1891—			Years Ending Feb. 28, —1890— —1891—	
Painting roof and outside wood.....	200		Salary of dairyman, with board.....	240	240
Contingent repairs.....	50		Groceries, water, light fuel, etc.....	50,000	50,000
Labor at cemetery and grounds.....	600		Dry goods, bedding and clothing.....	9,000	9,000
PENSIONS.			Additional wood furniture.....	800	800
For pay of veterans under general law.....	\$10,000	\$60,000	Medical stores.....	2,000	2,000
For pay of Dillard Cooper, special pension.....	250	250	Repairs, sewerage and plumbing.....	3,000	3,000
For pay of John Day, special pension.....	100	100	Transportation of patients.....	2,000	2,000
For pay of J. E. Fields, special pension.....	200	200	NORTH TEXAS INSANE ASYLUM.		
For pay of J. W. Nichols, special pension.....	100	100	Salary of superintendent, without board.....	\$2,500	\$2,500
For pay of J. B. Thatcher, special pension.....	100	100	For salary of assistant superintendent with board.....	1,200	1,200
For pay of Mrs. S. L. Cole, special pension.....	100	100	Salary of apothecary with board.....	480	480
For pay of D. T. Webb, special pension.....	100	100	Salary of bookkeeper and steward, with board.....	900	900
STATE LUNATIC ASYLUM.			Salary of matron, with board.....	480	480
Salary of Superintendent, without board.....	\$2,500	\$2,500	Salary of carpenter and painter, with board.....	400	400
Salary of first assistant physician, without board.....	1,200	1,200	Salary of gardener, who shall have charge of farm, with board.....	400	400
Salary of second assistant physician, without board.....	900	900	Farm and garden labor, with board.....	300	300
Salary of bookkeeper and house steward, without board.....	900	900	Salary of engineer, with board.....	600	600
Salary of matron, with board.....	480	480	Salary of two firemen, with board.....	600	600
Salary of apothecary, with board.....	480	480	Salary of cook and two assistants, with board.....	900	900
Salary of engineer and plumber, with board.....	600	600	Salary of baker, with board.....	360	360
Salary of assistant engineer, with board.....	400	400	Salary of four laundresses, with board.....	900	900
Salary of male supervisor, with board.....	600	600	Salary of three seamstresses, with board.....	600	600
Salary of female supervisor, with board.....	360	360	Salary of ward attendants, with board.....	5,000	5,000
Salary of gardener, who shall superintend farm, with board.....	480	480	Salary of two night watchmen, with board.....	600	600
Salary of cook, with board.....	360	360	Salary of two skilled nurses, with board.....	600	600
Salary of assistant cook, with board.....	300	300	Groceries, fuel, gas and water.....	30,000	45,000
Salary of two assistant cooks, with board.....	440	440	Transportation.....	1,200	1,200
Salary of baker, with board.....	400	400	Dry goods, clothing, etc.....	5,000	5,000
Salary of carpenter and blacksmith, with board.....	400	400	Milkman and dining room girls, with board.....	600	600
Salary of two firemen, with board.....	600	600	Medical stores.....	1,000	1,000
Salary of five night watchmen, \$360 each, with board.....	1,500	1,500	Wagon, hacks and harness.....	250	50
Salary of head laundress, with board.....	300	300	Shop and tools.....	50	150
Salary of five laundresses, with board.....	1,000	1,000	Trees, seeds and stock.....	150	150
Salary of head seamstress, with board.....	240	240	Furniture, beds, etc.....	1,000	1,000
Salary of five seamstresses, \$200 each, with board.....	1,000	1,000	General repairs.....	1,000	1,000
Salary of male and female attendants, with board.....	8,000	8,000	Mules, horses, cows and swine.....	250	250
Salary of two skilled nurses (female), with board.....	600	600	Expense of Board to Austin.....	150	150
Salary of three farm laborers, with board.....	600	600	Provided, that the interest on all securities held by the Lunatic Asylum fund is hereby appropriated in part payment of the above appropriations for the two Lunatic asylums, the remainder of the appropriation to be paid out of the general revenue.		
			All moneys that may be paid for board and treatment of non-indigent patients, and from the sale of per-		

	Years Ending Feb. 28,			Years Ending Feb. 28,	
	1890	1891		1890	1891
sonal property of the Lunatic Asylums at Austin and Terrell shall be paid over to the State Treasurer monthly; and credited by him to the general revenue account.					
DEAF AND DUMB ASYLUM.					
Salary of Superintendent, with board.	\$2,500	\$2,500	Salary of steward and bookkeeper, with b'r'd	500	500
Principal, with board.	900	900	Salary of oculist for all the asylums	900	900
Salary of articulation teacher, with board.	480	480	Salary of nurse and seamstress	480	480
Salary of first assistant teacher, with board.	600	600	Salary of night watchman	480	480
Salary of second and third assistant teachers, with board	930	960	Salary of engineer and plumber	480	480
Salary of fourth, fifth, sixth, seventh additional teachers, with board	2,000	2,000	Salary of cook and assistant	480	480
Salary of secretary and steward, with board.	500	500	Salary of laundresses	600	600
Salary of first and second matron, with board	720	720	Transporting indigent pupils	600	600
Salary of night watchman, with board	300	300	Clothing indigent pupils	500	500
Salary of farmer and gardener, with board	240	240	Repairs, replastering, repainting old building, and fixing grounds of the new building.	1,500	1,000
Salary of laborer, with board	220	220	Water for fire protection (contract)	500	500
Salary of three washers and ironers, with board	500	500	Groceries provisions, and miscellaneous	15,000	15,000
Salary of one baker, with board	320	320	Provided, that the interest on all interest bearing securities held by the Blind Asylum fund is hereby appropriated in part payment of the above appropriation, the remainder of the appropriation to be paid out of the general revenue.		
Salary of first and second cooks, with board,	440	440	PUBLIC DEBT.		
Salary of engineer, with board	600	600	For payment of interest on public debt.	\$256,062 20	\$256,062 20
Salary of monitor, with board	300	300	ORPHAN ASYLUM.		
Salary of montress, with board	220	220	For salary of superintendent, with board.	\$900	\$900
Salary of expert book binder, with board.	500	500	Salary of matron, with board.	480	480
Salary of expert printer, with board	500	500	Salary of two teachers, with board	800	800
Salary of expert shoemaker, with board.	500	500	Salary of two cooks, with board	480	480
Salary of expert carpenter, with board	500	500	Salary of laundryman, with board	300	300
Supplies, water, provisions, etc.	18,000	18,000	Salary of farm superintendent, with board.	480	480
Water for fire protection (per contract)	1,000	1,000	Salary of hostler, with board	200	200
Furnishing fund	1,500	1,500	Salary of dairyman and gardener, with board	300	300
Clothing, transportation, etc., for indigent pupils	1,200	1,200	For physician, without board	300	300
Provided, that the interest on all securities held by the Deaf and Dumb Asylum fund is hereby appropriated in part payment of the above appropriation, the remainder of the appropriation to be paid out of the general revenue.			Two farm hands, with board	360	300
BLIND ASYLUM.			Maintenance of two hundred orphans	18,000	18,000
Salary of Superintendent, without board.	\$2,500	\$2,500	Bedding	1,800	
Salary of teachers in music, school, shop and kindergarten, with board	5,000	5,000	Cooking range, table ware	480	
Salary of matron and housekeeper, with board	360	360	Window curtains, towels and table linen	250	
Salary of assistant matron, with board	300	300	Heating apparatus (two buildings)	2,000	
			Fuel	200	200
			Sundry machinery	300	
			Incidental expenses for laundry	150	150
			Barns and other out buildings	1,200	
			Purchase of mules, horses, cows and hogs.	900	
			Wagons, harness and farm implements	800	
			DEAF, DUMB AND BLIND ASYLUM FOR COLORED YOUTHS.		
			Salary of Superintendent, without board.	\$1,200	\$1,000

	Years Ending (1890)	Feb. 28, (1891)	AGRICULTURAL AND MECHANICAL COLLEGE.		
Salary of two teachers, without board	900	900	For the support and maintenance of the Agricultural College out of revenue	\$20,000	\$20,000
Salary of two teacher, without board	480	480	To finish walls contem- plated, out of the Uni- versity fund	10,500	10,500
Salary of two teachers in shop work, without board	480	480			
Tools and apparatus in work shop	1,000	1,000			
Salary of matron, with- out board	240	240			
Salary of oculist, with- out board	250	250			
Salary of night watch- man, without board	250	250			
Salary of engineer and plumber, without board	480	480			
Salary of laundresses, without board	300	300			
Transportation of indi- gent pupils	100	100			
Clothing for indigent pupils	300	300			
Repair fund	750	750			
Water	750				
Furniture	500				
Groceries, provisions and miscellaneous	6,000	6,000			
Salary of farmer and gar- dener, without board	240	240			
Improving grounds	125	125			
Physician	100	1			
REFORMATORY.					
Salary of Superintend- ent, without board	\$2,000	\$2,000			
Salary of clerk and storekeeper, without board	600	600			
Salary of farmer and gar- dener, without board	480	480			
Salary of teacher, with- out board	600	600			
Salary of cook, with board	300	300			
Salary of foreman of tailor shop, without board	480	480			
Salary of foreman of general work, with- out board	480	480			
Salary of night watch- man, without board	360	360			
Salary of steward and dairyman, without board	360	360			
Salary of foreman of laundry, without board	360	360			
Salary of physician, with- out board	100	100			
Salary of supervisor of boys, with board	600	600			
Transportation and clothing for discharged boys	250	250			
Books, slates, etc.	150	150			
Fuel	1,000	1,500			
Maintenance, clothing and provisions	9,000	9,000			
Salary of engineer, with board	600	600			
PENITENTIARIES.					
The proceeds of all con- vict labor and in ad- dition thereto for mak- ing up deficiency in monthly expenses and to purchase material for carrying on prison industries ..	\$1	\$1			
For carrying convicts to the penitentiaries	15,000	15,000			
To purchase literature for convicts	500	500			
			For the support of the State University.		
			For the support and maintenance of the University for the two years ending Febru- ary 28, 1891; for the erection of buildings, improvement of grounds, and purchase of all necessary acces- sories, to be under the control of the Board of Regents, all of the available University fund on hand, and all interest on the per- manent University fund, including bonds and all other interest bearing indebtedness now or hereafter be- longing to the perma- nent University fund, and all amounts de-		

rived from the lease of University lands, subject, however, to the appropriation herein made for the Agricultural and Mechanical College.

Senator Davis sent up the following privileged reports:

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 303, being "An act to restore and confer upon the county court of Wilson county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with the provisions of this act,"

And find the same correctly enrolled, and have this day, at 3:30 p. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

COMMITTEE ROOM,
AUSTIN, March 14, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 297, being "An act to authorize the county commissioners' court of Hidalgo county to issue bonds for the protection of the court house and jail and other property from further erosion of the Rio Grande river, and to levy a tax to pay the interest and principal thereof,"

And find the same correctly enrolled, and have this day, at 3:30 o'clock p. m., presented the same to the Governor for his signature.

DAVIS,
Chairman.

The following message was received from the Governor:

To the Hon. Senate of the State of Texas.

The bill entitled "An act to amend chapter 4, title XCV of the Revised Civil Statutes of the State of Texas, by adding thereto article 4761a, which

was presented in the Executive office on the seventh day of March, A. D. 1889, is returned to the Senate in which it originated, with a statement of the objections which have required me to withhold from it my approval. In this discharge of official conviction I have felt compelled to overcome the reluctances with which I dissent from the conclusions of the two houses of the Legislature, and place my opinions in opposition to those who so fully possess my confidence and respect.

Under the law as it exists the Board of Education each year makes an apportionment of the annual available school fund among the counties and cities constituting separate and independent school organizations, and to issue to each a certificate for the respective amounts so apportioned. Upon this apportionment the Comptroller draws his warrant in favor of any county or city treasurer, which warrant is paid by the Collector or State Treasurer. But under the following provisions of the bill now considered, which reads as follows:

"Provided, further, that the pro-rata of the available school funds of any county, for any current scholastic year, shall not be required to be paid into the State treasury, but the same may be paid into the county treasury." It seems clear that the distributive share of the school fund belonging to the one hundred and fifty cities, towns and villages which have assumed control of their respective schools, would be placed in the county treasuries, from which no plain warrant of authority is found for drawing their pro rata share.

Nearly all these cities and towns pay more in school taxes to the State than their pro rata of the school tax amounts to. As an exemplification of this fact, it is only necessary to cite a few of them. Galveston city pays in eighteen times as much State school tax as Galveston county, exclusive of the city. The city of Houston three times as much as Harris county outside of Houston. San Antonio nearly four times as much as Bexar county outside of the city, and yet the provisions of this bill, the whole of the State school tax collected in any of these cities and towns might be paid into the county treasury, and as the proper application of the funds after they reach the county treasury is left exclusively with county officials, and no practical check is placed by law upon their discretion, the funds might be applied to the schools in the county outside of the city, and not one

dollar could be paid by collectors to the treasurers of the cities or town school fund and their dividends from the State apportionment could only be paid from the State treasury, which would contain only such school funds as accrue from interest on land sales, bonds, loans, etc., held in trust by the State, and the receipts from these sources are derivable in the school year, twelve months or more after the apportionment is required by law to be made.

This discrimination would not only be unjust, but would destroy in a large measure the efficiency of a good part of our school system, embracing the schools of the cities and towns that have assumed control of the schools in which about twenty per cent. of all the children are taught.

If it should be contended that the pro rata of the funds belonging to these cities and towns could under the proposed law, by implication, be paid over by the county treasurer to the city treasurer, then the objection is urged, that the county and city treasurers would each thereby become entitled to demand and receive their lawful fees for paying out the school fund, which would double the fees now paid, and deplete the fund to that extent, and should the bill become a law the assessors, when they shall have completed their rolls, instead of receiving a draft as now provided, to be paid out of the first moneys collected on their rolls, would be entitled to receive from the Comptroller a warrant which would have to be cashed by the Treasurer, thus paying for the assessment twice out of the current resources derived from the present ten cent levy.

L. S. Ross,
Governor.

On motion of Senator Burges,
The Senate adjourned till 10 o'clock to-morrow morning.

FIFTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, March 15, 1889.

Senate met pursuant to adjournment.

Lieutenant-Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Armistead:

Petition of citizens of Cass county, praying for maximum rates of freight.
Referred to Committee on Internal Improvements.

By Senator Ingram:

Petition of citizens of Rusk county, asking passage of law fixing maximum rates at twenty-five cents on freights on railroads.

Referred to Committee on Internal Improvements.

By Senator Seale:

Petition of Enon Farmers' Alliance of Tyler county, asking for regulation of railroads by adopting maximum freight rates.

Referred to Committee on Internal Improvements.

By Senator Frank:

Petition of forty-three citizens of Palo Pinto county, asking relief against excessive freight charges.

Referred to Committee on Internal Improvements.

By Senator Lane:

Petition of citizens of Black Jack Springs, asking relief from excessive freight charges.

Referred to Committee on Internal Improvements.

By Senator Burney:

Memorial from officers and citizens of Menard county, protesting against the passage of House bill No. 63, so far as it affects Menard county.

Referred to Judiciary Committee No. 2.

REPORTS OF STANDING COMMITTEES.

By Senator Cranford:

COMMITTEE ROOM,
AUSTIN, March 15, 1889.

Hon. T. B. Wheeler, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate joint resolution No. 16, being "An act amending article 10, section 2 of the Constitution of the State of Texas,"